

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GRACE NEEBE, as Administratrix of the
Estate of Louis Neebe, Deceased, *et al.*,

Plaintiffs,
v.

RAVIN CROSSBOWS, LLC, et al.,

Defendants.

Case No. 2:19-cv-04934-JDW

MEMORANDUM

Plaintiff's counsel wants the Court to place under seal a full-page newspaper advertisement paying tribute to a recently-deceased partner, which Plaintiff's counsel purchased. To say that the Court finds the Motion puzzling is to do a disservice to puzzles everywhere. The Third Circuit has held that Courts should only place public records under seal if an interest in secrecy outweighs the presumption of public access to those records. *See In re Avandia Marketing, Sales Practices and Prods. Liab. Litig.*, 924 F.3d 662, 672 (3d Cir. 2019). That requires a movant to show that the material is the kind of information that courts will protect **and** that disclosure will work a clearly defined and serious injury to the party seeking closure. Plaintiff's Motion fails on both counts.

First, there is nothing private about the advertisement. The advertisement is a touching tribute to a deceased partner and friend, designed for public consumption. Plaintiff's use of the word "privacy" to justify placing it under seal brings to mind The Princess Bride: "You keep using that word. I do not think it means what you think it means." The Princess Bride (20th Century Fox 1987).

Second, the Court cannot fathom what injury could arise from the public disclosure of something that Plaintiff's counsel paid a newspaper to make public. Indeed, other than to allow some sort of Weekend At Bernie's style caper, the Court cannot envision a reason to keep the tribute private.

Because there is nothing private or confidential about a paid advertisement in a newspaper—especially one as well-intentioned as the tribute here, the Court will deny Plaintiff's motion to file Exhibit B to her Response to the Court's Order to Show Cause under seal. An appropriate Order follows.

BY THE COURT:

/s/ Joshua D. Wolson
JOSHUA D. WOLSON, J.

January 29, 2021